

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
v.)	No. 17-03104-CR-S-BP
)	
MARK J. ALTSCHULER,)	
)	
Defendant.)	

**ORDER ADOPTING MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION
AND DENYING DEFENDANT’S MOTION FOR AN EXTENSION OF TIME TO FILE
A MOTION TO SUPPRESS**

In September 2017, Defendant was indicted for possessing, with the intent to distribute, at least 100 kilograms or more of a controlled substance. (Doc. 1.) The Scheduling Order provided that any pretrial motions were due in December 2017 and Defendant’s trial was set for January 8, 2018. (Doc. 7.) After numerous continuances, the trial date was most recently set for October 28, 2019. (Doc. 47.)

On October 3, 2019, Defendant filed a motion to suppress evidence.¹ (Doc. 52.) On the same day, Defendant filed a motion for an extension of time to file the motion to suppress. (Doc. 53.) On October 7, the Honorable Magistrate Judge David P. Rush held a hearing on the motions. (Doc. 56.) On October 15, Judge Rush issued a report recommending that the Court deny Defendant’s motion for an extension of time to file a motion to suppress. (Doc. 59.) Defendant has not filed an objection to the report and recommendation and the time to do so has passed.

¹ This motion has since been denied without prejudice because it was untimely filed without leave to do so. (Doc. 58.)

The Court has reviewed the record de novo and agrees with the recommendation of Judge Rush. No information or analysis needs to be added to the report, and the Court adopts the report and recommendation in its entirety.

IT IS SO ORDERED.

DATE: November _7_, 2019

/s/ Beth Phillips
BETH PHILLIPS, CHIEF JUDGE
UNITED STATES DISTRICT COURT